

Appl. No. 09/935,459
Amdt. Dated November 21, 2005
Reply to Office action of August 24, 2005
Attorney Docket No. P12989-US2
EUS/J/P/05-3298

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 1-3, 5, 7-9, and 11; claims 4, 6, 10 and 12 have been canceled. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-3, 5, 7-9, and 11 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections - Claims

Claims 1 and 9 were objected to because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

Claims 6 and 12 were objected to as to being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant has amended independent claims 1 and 9 to include the allowable subject matter of claims 4 and 6 and 10 and 12, respectively.

Allowable Subject Matter

The Applicant notes with appreciation the conditional allowance of claims 6 and 12. Independent claims 1 and 9 have been rewritten to include all limitations of the base claims and any intervening claims. Therefore no amendments have been made to narrow the scope of the pending claims or to create any sort of estoppel.

As noted above, claims 1 and 9 have been amended in order to overcome the Examiner's objections. Consequently, the Applicant believes claims 1-3 are also in a condition of allowance. The Examiner's consideration of these claims is also respectfully requested.

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Claim Rejections – 35 U.S.C. § 103 (a)

Claims 1-5 and 9-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Arnold et al (US Patent No. 6,515,777) in view of Mizrahi (US Patent No. 6,002,503). The Applicant respectfully traverses the rejection of these claims. Claims 4, 6, 10 and 12 have been canceled rendering the rejection of these claims moot. The allowable subject matter of the canceled claims has been incorporated in the respective independent claims, claims 1 and 9.

Claims 1 and 9 now contain allowable subject matter and the respective dependent claims also contain the allowable subject matter. The Applicant respectfully requests the withdrawal of the rejection of these claims.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Arnold et al (US Patent No. 6,515,777) in view of Mizrahi (US Patent No. 6,002,503) and further in view of Hutchison et al (US Patent No. 6,687,463).

The Applicant has amended independent claims 1 and 9 to better define the intended scope of the claimed invention and to include allowable subject matter. Claims 7 and 8 depend from claim 1 and contain the same allowable subject matter. The Applicant respectfully requests the withdrawal of the rejection of claims 7 and 8

Prior Art Not Relied Upon

In paragraph 6 on page 10 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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